

THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
BRYSON CITY DIVISION

CRIMINAL CASE NO. 2:06cr006-1

UNITED STATES OF AMERICA,)
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vs.) O R D E R
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TIMOTHY O. BENNETT.)
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THIS MATTER is before the Court upon the Defendant's Motion for Early Termination of Supervised Release [Doc. 55], filed on August 3, 2012.

On June 9, 2006, the Defendant pleaded guilty to one count of conspiracy to distribute and possess with intent to distribute more than 100 marijuana plants, and aiding and abetting, in violation of 21 U.S.C. §§ 841(a)(1) and 846 and 18 U.S.C. § 2. The Defendant was sentenced on October 3, 2006, to sixty (60) months of imprisonment, followed by four (4) years of supervised release. [Judgment, Doc. 39].

The Defendant now moves the Court to exercise its discretion and terminate his term of supervised release pursuant to 18 U.S.C. § 3583(e)(1). [Doc. 55].

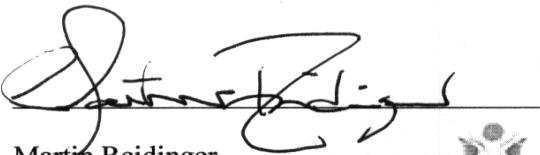
In order to terminate a defendant's term of supervised release, the Court must be "satisfied that such action is warranted by the conduct of the defendant released and the interest of justice." 18 U.S.C. § 3583(e)(1). In the present case, the Defendant offers no evidence regarding his behavior or his efforts at rehabilitation while on supervised release. Given the lack of information available to the Court regarding the Defendant's conduct during the relatively short time he has been on supervised release, the Court declines to exercise its discretion to terminate the Defendant's term of supervised release at this time.

Accordingly, **IT IS, THEREFORE, ORDERED** that Defendant's Motion for Early Termination of Supervised Release [Doc. 55] is **DENIED**. The Defendant's term of supervised release shall continue as originally sentenced.

The Clerk is directed to serve a copy of this Order on the Defendant, counsel for the Government, and the United States Probation Office.

IT IS SO ORDERED.

Signed: August 17, 2012



Martin Reidinger
United States District Judge

